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1638

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Schmülling et al.

Examiner: S. Baum

Serial No.: 10/014,101

Group: Art Unit 1638

Filed: May 5, 2002

Docket: 1187-26

**For: METHOD FOR ENHANCING
MODIFYING PLANT MORPHOLOGY,
BIOCHEMISTRY AND PHYSIOLOGY**

Dated: March 17, 2004

MAIL STOP: NON-FEE AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL FORM

Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☐ Small entity status of this application under 37 C.F.R. §§1.9 and 1.27 has been established by a verified statement previously submitted.
- ☐ A verified statement to establish small entity under 37 C.F.R. §§1.9 and 1.27 is enclosed.
- ☒ No additional fee is required.

For	Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate (Small Entity)	Addit. Fee	Rate	Addit. Fee
TOTAL CLAIMS*	276	276	0	x 9 =	\$0	x 18 =	\$0
INDEPENDENT CLAIMS	11	11	0	x 43 =	\$0	x 86 =	\$0
<input type="checkbox"/> First Presentation of Multiple Dep. Claim				145		290	\$0

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 222313-1450 on March 17, 2004.

Dated: March 17, 2004

Bridget Griffin
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- ☐ Please charge Deposit Account No. 04-1121 in the amount of \$____. Two (2) copies of this sheet are enclosed.
- ☐ A check in the amount of \$0 is enclosed.
- ☒ Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §§1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. 04-1121. **TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.**

Respectfully submitted,



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Reg. No. 34,697
Attorney for Applicants

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PATENT

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RESPONSE TO UNDER 37 C.F.R. §1.111 AND 1.143

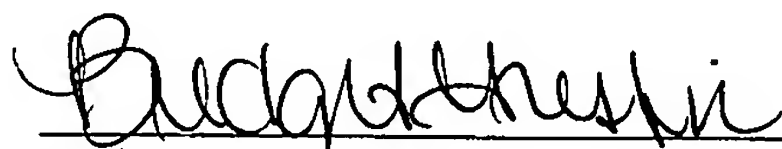
Sir:

In response to the Office Action dated February 17, 2004, setting forth a requirement for restriction, and in accordance with the provisions of 37 C.F.R. §§1.111 and 1.143, Applicants provisionally elect, with traverse, the subject matter of Group I, Claims 1-4, 7-17, 25, 28-44, 46-47, 49-50, 52-53, 79-81, 86-87, 90-92, 95-101, and 103-137, drawn to a method for stimulating root growth or enhancing the formation of lateral or adventitious roots, comprising expression of a nucleic acid molecule encoding a plant cytokinin oxidase, an isolated nucleic acid molecule encoding a plant protein having cytokinin oxidase activity or vector and host cell transformed therewith; a method for increasing the size of the root

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Dated: March 17, 2004


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meristem, a method for altering leaf senescence, a method of increasing leaf thickness, a method for reducing vessel size, a method for improving standability of seedlings, a method for increasing branching, a method of increasing seed size or weight, a method for increasing embryo size or weight, a method of increasing cotyledon size or weight, comprising expression of a nucleic acid of claim 3 or 4, classified in class 800, subclass 290 for example.

In addition, as requested by the Examiner, Applicants also provisionally elect, with traverse, SEQ ID NO:26 and SEQ ID NO:4 as the relevant sequences recited in the claims of Group I.